IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 4271 of 2004

Between:

Manam Nageswara Rao, S/o Venkata Subbaiah,
Timmasamudram Village, Naguluppalapadu Mandal,
Prakasam District.

..... PETITIONER

AND

1.The Commissioner, Endowments Dept. Andhra Pradesh, Hyderabad.
2.Sri Gorantla Santhaiah, S/o Syamasundara Rao, Hindu, aged 42

years, R/o. Thimmasamudram Village, Naguluppalapadu Mandal,
Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction in the nature of Mandamus declaring the proceedings in Rc.No.D2/30761/2003 dated 20-02-2004 of the 1st respondent in appointing the 2nd respondent as one of the 7 trustees on Non-Hereditary Trust Board to Sri Gorantla Venkanna Trust, Timmasamudram Village, Naguluppalapadu Mandal, Prakasam District without making an enquiry as to the 2nd respondent corruption as Chairman of Sri Gorantla Venkanna Trust, Timmasamudram Village, Naguluppalapadu Mandal, Prakasam District for the earlier years 2002-2004 as

being illegal, unjust, arbitrary and violative of Article 14 of the Constitution of India and the provisions of Act 30/1987.

Counsel for the Petitioner: MR.E.V.BHAGIRATHA RAO

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

Counsel for the Respondent No.2: Mr. Ancha Panduranga Rao

The Court made the following :

THE HONOURABLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION No.4271 OF 2004

ORDER:

The petitioner herein, inter-alia, seeks relief as against the appointment of a trustee in the proceedings in Rc.No.D2/30761/2003 dt.20.02.2004 of the first respondent herein, in respect of a non-hereditary Trust Board viz., Sri Gorantla Venkanna Trust, Timmasamudram village, Naguluppalapadu Mandal, Prakasam District, which is not impleaded as a respondent in this writ petition. In the absence of any trust being party to the proceedings, no relief can be granted.

In the circumstances, I do not find any justification to entertain the very writ petition. The writ petition is accordingly dismissed with liberty to the petitioner to file fresh proceedings. No costs.

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20th July, 2004

cs/skmr

To

1. The Commissioner, Endowments Department, Andhra Pradesh, Hyderabad.

2. Two C.Cs. to the Government Pleader for Endowments, High Court Buildings, Hyderabad. (O.U.T.)

3. Two C.D. copies.